

OCT 9 2014

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

SHAUN DARNELL GARLAND,

Plaintiff - Appellant,

v.

D. S. LEWIS, Correctional Officer,  
Individual; J. CURIEL, Appeals  
Coordinator,

Defendants - Appellees.

No. 13-56567

D.C. No. 2:10-cv-09010-FMO-OP

MEMORANDUM\*

Appeal from the United States District Court  
for the Central District of California  
Fernando M. Olguin, District Judge, Presiding

Submitted September 23, 2014\*\*

Before: W. FLETCHER, RAWLINSON, and CHRISTEN, Circuit Judges.

California prisoner Shaun Darnell Garland appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action alleging various constitutional violations. We have jurisdiction under 28 U.S.C. § 1291. We

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously concludes this case is suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

review de novo. *Sapp v. Kimbrell*, 623 F.3d 813, 821 (9th Cir. 2010). We may affirm on any ground supported by the record. *Thompson v. Paul*, 547 F.3d 1055, 1058-59 (9th Cir. 2008). We affirm.

Dismissal of Garland’s First Amendment claim was proper because Garland failed to allege facts sufficient to show that Curiel’s screening of his grievances impeded his right to petition the government. *See Ramirez v. Galaza*, 334 F.3d 850, 860 (9th Cir. 2003) (“[I]nmates lack a separate constitutional entitlement to a specific prison grievance procedure.”); *see also Lewis v. Casey*, 518 U.S. 343, 348, 351-53 (1996) (to state a claim for denial of access to courts, inmate must show actual prejudice with respect to contemplated or existing litigation).

We do not consider matters raised for the first time on appeal. *See Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009) (per curiam).

**AFFIRMED.**